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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,314	01/27/2006	Karl Keller	HM-690PCT	1898
40570	7590	01/22/2010		
FRIEDRICH KUEFFNER 317 MADISON AVENUE, SUITE 910 NEW YORK, NY 10017			EXAMINER CHANG, RICK KILTAE	
			ART UNIT	PAPER NUMBER
			3726	
			MAIL DATE	DELIVERY MODE
			01/22/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/566,314	<b>Applicant(s)</b> KELLER ET AL.	
	<b>Examiner</b> Rick K. Chang	<b>Art Unit</b> 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 4, 8 and 10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-7 and 9 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/27/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Species 1 in the reply filed on 10/19/09 is acknowledged.

### ***Specification***

2. The specification lacks a header for each section of the specification.

### ***Claim Objections***

3. Claims 1-10 are objected to because of the following informalities: claim 1, line 1: before "Device", insert –A--; and claims 2-10, line 1: before "Device", insert –The--.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-3, 5-7 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There are numerous phrases and clauses in the claims that are vague, indefinite, and/or awkwardly and confusingly worded, and therefore, are not fully understood. The following are examples:

Claim 1, line 3: "the roll neck" and "the backup roll" lack positive antecedent basis.

Claim 5, lines 3-4: What is "both bearings of a roll" referring?

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Claims are ambiguous and competitors would be unable to discern the bounds of the invention.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 5-7 and 9, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Rode (US 5,535,517) in view of Sjobom (US 5,333,378).

Re claims 1-2: Rode discloses a chock and a roll neck bearing mounted in the chock, on the roll neck of the backup roll of a rolling stand and for dismounting a bearing assembly from the roll neck of the backup roll of the rolling stand (Fig. 2), wherein an anchorage fixture (50), which extends in the axial direction of the roll (Fig. 2), acts on the roll neck (10); that the anchorage fixture (50) supports a washer (a portion of 70 located within 50) that can be axially displaced on the anchorage fixture (Fig. 2), which washer (a portion of 70 that is threaded with 10) is supported at one end on a nut (60) that can be moved on the anchorage fixture (50) by screwing and at the other end on the bearing assembly (Fig. 2); that a hydraulic pretensioning tool (44) can be temporarily assigned to the nut (60) and can apply a mounting force between the anchorage fixture and the washer, which is supported on the bearing assembly (Fig. 2); the nut (screw down 60) can be screwed down against the washer with the anchorage fixture pretensioned (Fig. 2) and is irreversibly secured against torsion by the tensioning forces between the anchorage fixture and the nut (unscrew 60), except for a dismounting unit can be temporarily

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coupled with the bearing assembly; and that a hydraulic cylinder of the dismounting unit can be supported on the roll neck.

Sjobom discloses a dismounting unit (Fig. 5) can be temporarily coupled with the bearing assembly (6); and that a hydraulic cylinder of the dismounting unit (27) can be supported on the roll neck (3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rode by providing a dismounting unit can be temporarily coupled with the bearing assembly; and that a hydraulic cylinder of the dismounting unit can be supported on the roll neck, as taught by Sjobom, for the purpose of dismounting a bearing assembly.

Re claims 5-7 and 9: Rode fails to disclose the dismounting unit can be universally used for both bearings of a roll; the dismounting unit can be bolted together with the bearing assembly; the dismounting unit can be coupled with the bearing assembly by a bayonet socket; and the hydraulic cylinder is supported on the anchorage fixture, which is rigidly connected with the roll neck.

Sjobom discloses that the dismounting unit can be universally used for both bearings of a roll (Fig. 2); the dismounting unit can be bolted together with the bearing assembly (Fig. 5); the dismounting unit can be coupled with the bearing assembly by a bayonet socket (Fig. 3); and the hydraulic cylinder (27) is supported on the anchorage fixture, which is rigidly connected with the roll neck (Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Rode by providing the dismounting unit can be universally used for both bearings of a roll; the dismounting unit can be bolted together with the bearing assembly; the

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dismounting unit can be coupled with the bearing assembly by a bayonet socket; and the hydraulic cylinder is supported on the anchorage fixture, which is rigidly connected with the roll neck, as taught by Sjobom, for the purpose of dismounting more than one bearing assembly.

***Allowable Subject Matter***

8. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

9. Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional).

Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (571) 272-4564. The examiner can normally be reached on 5:30 AM to 1:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rick K. Chang/  
Primary Examiner, A.U. 3726

RC  
January 22, 2010